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August 27, 2025

Via ECF

Honorable Joseph A. Marutollo
United States Magistrate Judge
Eastern District of New York
225 Cadman Plaza East, Room 1217 South
Brooklyn, New York 11201

Re: Baker-Pacius et al. v. New York City Department of Education, et al.
No. 25-cv-00743 (AMD)(JAM)

Dear Judge Marutollo:

I am an Assistant Corporation Counsel in the office of Muriel Goode-Trufant, Corporation Counsel of the City of New York, attorney for the Department of Education of the City of New York, Melissa Aviles-Ramos, and Katherine Rodi (“Defendants”), in the above-referenced matter. Defendants write in accord with the Court’s Orders directing the parties to file a joint status report. Defendants thank the Court for its courtesies in extending the parties’ time to submit a status report.

Plaintiffs commenced this action on February 10, 2025, and filed an Amended Complaint on April 23, 2025. See ECF Nos. 1, 7. Plaintiffs, formerly employed by the Department of Education of the City of New York (“DOE”), were terminated by the DOE due to their failures to comply with the COVID-19 vaccine mandate applicable to DOE employees (“Vaccine Mandate”). Plaintiffs allege that in denying their reasonable accommodation requests for exemptions to the Vaccine Mandate, Defendants violated various provisions of law, including the Free Exercise and Equal Protection Clauses of the United States Constitution. Plaintiffs appear to bring claims of Title VII discrimination and retaliation, various due process claims, a stigma plus claim, and a fraud in the inducement claim. Plaintiffs further allege that Defendants’ conduct violated the New York State and City Human Rights Laws (“SHRL” and “CHRL,” respectively).

On July 15, 2025, Defendants filed a letter motion, on consent of Plaintiffs, seeking a stay of discovery pending Defendants' anticipated motion to dismiss. See ECF No. 17. On July 15, 2025, the Court granted Defendants' request and stayed discovery "pending disposition of Defendants' anticipated motion to dismiss." See Text Order dated July 15, 2025. On July 21, 2025, Defendants filed a Motion to Dismiss the Amended Complaint. See ECF Nos. 19-23. On August 25, 2025, Plaintiffs filed a letter motion seeking an extension of time to respond to Defendants' Motion to dismiss. See ECF No. 25. On August 25, 2025, the Court granted Plaintiffs' request, and extended the deadline for Plaintiffs to file their opposition to Defendants' Motion to Dismiss to September 16, 2025. See Text Order dated August 25, 2025. Discovery is currently stayed in this matter; thus, neither party has exchanged discovery demands.

The parties thank the Court for its attention to this matter.

Sincerely,

/s/ Kathleen M. Linnane

Kathleen M. Linnane

Attorney for the Defendants

Cc: All parties (via ECF)

Diane Baker-Pacius, pro se plaintiff, via USPS to 55 West 116th Street, Ste. 396, New York, NY 10026, and via email to DBCB.CG.2025@gmail.com

Christopher J. Garry, pro se plaintiff, via USPS to 75-27 217th Street, Oakland Gardens, NY 11364, and via email to DBCB.CG.2025@gmail.com